

advocates for victims, and other professionals and agencies for their efforts to advance awareness of elder abuse;

(3) encourages members of the public and professionals who work with older adults to act as catalysts to promote awareness and long-term prevention of elder abuse—

(A) by reaching out to local adult protective services agencies, State long-term care ombudsman programs, and the National Center on Elder Abuse; and

(B) by learning to recognize, detect, report, and respond to elder abuse; and

(4) encourages those Federal agencies with responsibility for preventing elder abuse to fully exercise such responsibilities to protect older adults, whether living in the community or in long-term care facilities.

SENATE RESOLUTION 622—CONDEMNING ATTACKS AGAINST MEMBERS OF THE MEDIA AND REAFFIRMING THE CENTRALITY OF A FREE AND INDEPENDENT PRESS AND PEACEFUL ASSEMBLY TO THE HEALTH OF DEMOCRACY IN THE UNITED STATES

Mr. MENENDEZ (for Mr. MARKEY for himself, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. BROWN, Mrs. MURRAY, Ms. CANTWELL, Mrs. FEINSTEIN, Mr. SANDERS, Mr. COONS, Mr. WYDEN, Mr. BOOKER, Mr. CASEY, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 622

Whereas the First Amendment to the Constitution of the United States provides the basis of the freedom of the press and peaceful assembly in the United States, stating “Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble . . .”;

Whereas Thomas Jefferson, who recognized the importance of the press in a constitutional republic, wisely declared, “. . . were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.”;

Whereas Article 19 of the United Nations Universal Declaration of Human Rights, adopted in Paris on December 10, 1948, states, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”;

Whereas, on December 18, 2013, the United Nations General Assembly adopted United Nations General Assembly Resolution 163 (2013) on the safety of journalists and the issue of impunity, which unequivocally condemns, in both conflict and non-conflict situations, all attacks on and violence against journalists and media workers, including torture, extrajudicial killing, enforced disappearance, arbitrary detention, and intimidation and harassment;

Whereas, according to the U.S. Press Freedom Tracker, a nonpartisan website led by the Freedom of the Press Foundation and the Committee to Protect Journalists, not less than 328 press freedom violations by local and State authorities have been reported by journalists across the United States in the course of covering the demonstrations associated with the death of George Floyd, a Black man, while he was in Minneapolis police custody;

Whereas Kirstin McCudden, managing editor of the U.S. Press Freedom Tracker, described the uptick in reports of violations of freedom of the press in the United States between May 25 and June 3, 2020, as “unprecedented in scope without a doubt.”;

Whereas Joel Simon, executive director of the Committee to Protect Journalists, wrote that “[c]overing protests and demonstrations is vital, both in order to inform the public about the demands of the protesters and also to hold officials accountable.”; and

Whereas more than 100 media and press freedom organizations, led by the Reporters Committee for Freedom of the Press, signed a letter demanding that law enforcement officers immediately stop attacks against credentialed, clearly identifiable journalists and stressed that law enforcement officers do not have legal immunity when they violate clearly established rights under the First Amendment to the Constitution of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms its commitment to the freedom of the press and peaceful assembly as pillars of democracy in the United States;

(2) condemns in the strongest terms violence committed against people of the United States exercising their right to free speech and peaceful assembly, including journalists and members of the media, whether that violence is committed by government officials or anyone else;

(3) condemns in the strongest terms actions on the part of any local, State, or Federal authorities to limit, restrict, or in any way prevent members of the media from—

(A) performing their jobs, which contribute to the distribution of vital information;

(B) promoting government accountability;

(C) defending democratic activity; and

(D) strengthening civil society;

(4) recognizes the bravery and courage of the journalists of the United States, foreign journalists, and members of the media who put their own safety at risk in order to cover the demonstrations associated with the death of George Floyd and bring information to the people of the United States and the world;

(5) calls on local, State, and Federal authorities to—

(A) take steps to ensure that members of the media are able to safely perform their duties without interference, censorship, threats of violence, or physical harm; and

(B) explicitly exempt the news media from any curfew regulations; and

(6) calls on local, State, and Federal authorities and officials to—

(A) identify and thoroughly investigate instances in which—

(i) government officials or members of police forces have restricted media access to the demonstrations associated with the death of George Floyd; or

(ii) violence was perpetrated against members of the media during those demonstrations; and

(B) ensure that the perpetrators of violence against the media are appropriately disciplined and, if appropriate, charged.

PROVIDING ASSISTANCE FOR UNITED STATES CITIZENS AND NATIONALS TAKEN HOSTAGE OR UNLAWFULLY OR WRONGFULLY DETAINED ABROAD

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 462, S. 712.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A bill (S. 712) to provide assistance for United States citizens and nationals taken hostage or unlawfully or wrongfully detained abroad, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the title.

(Strike all after the enacting clause and insert the part printed in italic.)

SECTION 1. SHORT TITLE.

This Act may be cited as the “Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act”.

SEC. 2. ASSISTANCE FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD.

(a) *REVIEW.*—The Secretary of State shall review the cases of United States nationals detained abroad to determine if there is credible information that they are being detained unlawfully or wrongfully, based on criteria which may include whether—

(1) United States officials receive or possess credible information indicating innocence of the detained individual;

(2) the individual is being detained solely or substantially because he or she is a United States national;

(3) the individual is being detained solely or substantially to influence United States Government policy or to secure economic or political concessions from the United States Government;

(4) the detention appears to be because the individual sought to obtain, exercise, defend, or promote freedom of the press, freedom of religion, or the right to peacefully assemble;

(5) the individual is being detained in violation of the laws of the detaining country;

(6) independent nongovernmental organizations or journalists have raised legitimate questions about the innocence of the detained individual;

(7) the United States mission in the country where the individual is being detained has received credible reports that the detention is a pretext for an illegitimate purpose;

(8) the individual is detained in a country where the Department of State has determined in its annual human rights reports that the judicial system is not independent or impartial, is susceptible to corruption, or is incapable of rendering just verdicts;

(9) the individual is being detained in inhumane conditions;

(10) due process of law has been sufficiently impaired so as to render the detention arbitrary; and

(11) United States diplomatic engagement is likely necessary to secure the release of the detained individual.

(b) *REFERRALS TO THE SPECIAL ENVOY.*—Upon a determination by the Secretary of State, based on the totality of the circumstances, that there is credible information that the detention of a United States national abroad is unlawful or wrongful, and regardless of whether the detention is by a foreign government or a nongovernmental actor, the Secretary shall transfer responsibility for such case from the Bureau of Consular Affairs of the Department of State to the Special Envoy for Hostage Affairs created pursuant to section 3.

(c) *REPORT.*—

(1) *ANNUAL REPORT.*—

(A) *IN GENERAL.*—The Secretary of State shall submit to the appropriate congressional committees an annual report with respect to United States nationals for whom the Secretary determines there is credible information of unlawful or wrongful detention abroad.

(B) *FORM.*—The report required under this paragraph shall be submitted in unclassified